

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

Rachel Eta Hill, on behalf of B.H. and
A.E.H.,

Case No. 19-cv-1794 (WMW/HB)

Plaintiff,

**ORDER ADOPTING REPORT AND
RECOMMENDATION**

v.

State of Minnesota,

Defendant.

This matter is before the Court on the November 19, 2019 Report and Recommendation (R&R) of United States Magistrate Judge Hildy Bowbeer. (Dkt. 11.) The R&R recommends dismissing Plaintiff Rachel E. Hill's habeas petition without prejudice for failure to prosecute. *See* Fed. R. Civ. P. 41(b). In light of that recommendation, the R&R also recommends denying Hill's application to proceed in district court without prepaying fees or costs. No objections to the R&R have been filed. In the absence of timely objections, this Court reviews an R&R for clear error. *See* Fed. R. Civ. P. 72(b) advisory committee's note ("When no timely objection is filed, the court need only satisfy itself that there is no clear error on the face of the record in order to accept the recommendation."); *Grinder v. Gammon*, 73 F.3d 793, 795 (8th Cir. 1996) (per curiam). Having reviewed the R&R, the Court finds no clear error.

Based on the R&R, the foregoing analysis, and all the files, records and proceedings herein, **IT IS HEREBY ORDERED:**

1. The November 19, 2019 R&R, (Dkt. 11), is **ADOPTED**.

2. Plaintiff Rachel E. Hill's habeas petition, (Dkt. 1), is **DISMISSED WITHOUT PREJUDICE**.

3. Hill's application to proceed in district court without prepaying fees or costs, (Dkt. 2), is **DENIED**.

LET JUDGMENT BE ENTERED ACCORDINGLY.

Dated: December 10, 2019

s/Wilhelmina M. Wright
Wilhelmina M. Wright
United States District Judge